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C O N F I D E N T I A L SECTION 01 OF 02 MINSK 000205

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TAGS: [PGOV](#) [PHUM](#) [BO](#)
SUBJECT: BKGB SPREADING FEAR

REF: A. MINSK 192
[1](#)B. 05 MINSK 1537

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Classified By: Classified by Ambassador George Krol for Reasons 1.4(B,D
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[1](#)1. (C) Summary: The BKGB continues to hold, but has not yet charged, the four activists it arrested on February 21 (ref A). Authorities have until 2100 on February 24 to decide whether to release or continue holding the group. The GOB then has two months, with the possibility of extensions, to decide on charges. The activists' lawyer told Poloff she believes they will stay in jail at least through the March 19 elections. It is also likely authorities will charge them with violating one of the criminal articles Lukashenko amended in December to prevent a color revolution in Minsk, which could lead to up to three years in prison. Although their lawyer was allowed to meet with them on February 22, the BKGB has now denied her access to any of her clients. Meanwhile, the BKGB is questioning other activists, and seized 100 cell phones used for exit polling in 2004. In a single day the BKGB crippled efforts to observe the election and conduct exit polling. End summary.

[1](#)2. (C) On February 24, Poloff met with Vera Stremkovskaya, lawyer for three of the young activists arrested by the BKGB on February 21 (ref A), as well as the wives and mothers of two of the detainees. That same day DCM spoke with the families of three of the detainees, with Ambassador and visiting EUR DAS David Kramer stopping by to express their sympathies.

Arrests

[1](#)3. (C) Stremkovskaya represents the NGO Partnership's Nikolay Astreyka and Enira Bronitskaya, as well as NDI's (strictly protect) Aleksandr Shalaika. (Note: Timofei Dranchuk is not known to be affiliated with Partnership, so his arrest is somewhat of a mystery. Partnership is Belarus' main independent election observation group.) She said all three were detained by the BKGB at their homes on February 21, Astreyka at 1900, Bronitskaya at 1940, and Shalaika at 2100. Since their arrests they have been held in the BKGB's "Amerikanka" detention center. Stremkovskaya, who previously represented Astreyka and Bronitskaya, found out about the arrests the next day and with some difficulty discovered where they were being held. She was allowed to meet them 18 hours after their detention, and was present when the BKGB questioned them at length on February 22 about their work

with Partnership and their relations to each other. The BKGB allowed Stremkovskaya to meet briefly in private with her clients. They said they were being treated reasonably well; each has a bed, they receive three meals a day, have access to television, and are escorted out of their cell for two walks a day. Bronitskaya is in a cell with only women. They are not allowed to see their families while in detention.

No Charges Yet, Further Detention Likely

14. (C) Authorities have not yet charged any of these four. Stremkovskaya explained that the prosecutor must decide within 72 hours of their arrest whether to release them or continue their detention. If their detention is extended, they will be sent to a jail with considerably worse conditions. Under Belarusian law, authorities can detain people for up to two months without pressing charges, and this term can be extended for up to 18 months to allow for investigation. Stremkovskaya told Poloff, after the families left, that she expects the four to be held at least through the March 19 presidential elections, and that they are likely to be charged with violating Article 193 of the Criminal Code, "Organizing or Leading a Social Organization or Religious Organization Infringing on the Identity, Rights and Obligations of Citizens," which carries a penalty of up to three years in prison. (Note: This article was one of those amended and greatly toughened in December by Lukashenko's 'Discrediting Belarus' decree (ref B).) To build their case, the BKGB questioned a number of Partnership and other activists across Belarus on February 23. Stremkovskaya filed an appeal asking for her three clients to be released on humanitarian grounds. Astreyka's wife is pregnant (as is Dranchuk's), and Shalaika has a ten-month old son who has not yet recovered from heart

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surgery he had nine months ago.

Attorney Barred from Access

15. (C) Stremkovskaya attempted to visit her clients again on February 23, but the BKB informed her that, because of discrepancies in their testimony, she could no longer represent Astreyka and Bronitskaya. She explained this is the only legal pretext the BKGB could employ to remove her, but Stremkovskaya insisted this is a farce as there was no discrepancy. She has already filed a protest over this action. Stremkovskaya said she was allowed to see Shalaika again that day. However, when she returned to speak with him on February 24, the BKB informed her that, "her participation and presence are not required today," so she was not allowed to visit her client.

16. (C) Stremkovskaya said she protested the arrest and detention, the lack of notice of their attorney and the fact the BKGB confiscated many of their belongings. At the time of the arrests, she said the BKGB seized their computers with all hardware, including the mice, a Xerox machine, books, newspapers, Milinkevich campaign materials, keys, cell phones, and even Astreyka's father's car.

Many Others Scared

17. (C) Poloff spoke with Stremkovskaya for only 20 minutes. During that time she received three phone calls from other NGOs. She explained that she is receiving many calls from NGO leaders and activists who are worried they might be arrested next. Stremkovskaya said she herself is afraid, and believes it possible she will be arrested as well.

Comment

18. (C) The BKGB has succeeded in spreading fear with these arrests and other actions. Oleg Manaev (strictly protect) of the IISEPS polling service told Poloff that the same day the BKGB arrested these four, they seized 100 cell phones from IISEPS. These phones were smuggled into Belarus and given to IISEPS for use during exit polling during the 2004 parliamentary elections. After the elections, IISEPS gave them to a businessman friend, with no connection to the opposition, to store. On February 21 the BKGB raided his business and seized the phones. In one day the BKGB crippled the main independent election observation organization and one of two agencies that are planning to conduct exit polling. The regime is determined to eliminate domestic independent assessment of the election results.
Krol